IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.30327 of 1997
DATED 9-4-2007

BETWEEN
Ch.Ramulu and another.

.. Petitioners

And
Government of A.P. rep by its Secretary,
Education Department, Secretariat Building,
Hyderabad and others.

.. Respondents

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.30327 of 1997

ORDER:

The relief sought for in the writ petition is for a direction to the respondents to consider the case of the petitioners for appointment as Attenders from the date on which their juniors were appointed with all consequential benefits.

Sri P.V.Subrahmanya Sarma, learned counsel for the petitioners fairly conceded that the qualification prescribed for appointment to the post of Attender is 7th class since 1998 and that in view of such a prescription, persons who do not possess the qualification of 7th class cannot now be appointed as an Attender. Learned counsel would submit that in the affidavit filed in support of

the writ petition, the petitioners averred that they passed 5th class and 6th class respectively and it is not known as to whether they subsequently acquired the qualification of 7th class. Learned counsel would seek a direction from this Court to the respondents to consider their case for appointment as Attenders at least in future vacancies in case they have subsequently acquired the qualification prescribed. The learned counsel would also submit that subsequent to the filing of the writ petition, he is not aware as to what happened subsequent thereto.

The petitioners seek parity with Sri Shaik Uddamsaheb, Sri B.Prasad Rao, Sri B.Nageshwar Rao, Sri Siva Prasad.H, Sri V.Bose and Sri Nancharaiah. According to the petitioners, Sri V.Bose and Sri Nancharaiah are illiterates. It is not clear from the writ petition as to the basis on which these persons were appointed as Attenders. While the learned counsel for the petitioners would assert that the 3rd respondent College is an aided college and that they are required to follow the rules prescribes by the Government in this regard, no rule which requires the 3rd respondent to appoint persons with 6th class and 5th class qualifications respectively has been brought to the notice of this Court, in the absence of which, the relief sought for in the writ petition cannot be granted.

The writ petition is accordingly dismissed. Needless to state that dismissal of this writ petition would not preclude the petitioners from seeking consideration of their case as Attenders in future vacancies in case they possess the qualifications prescribed for

appointment to such posts. No costs.

RAMESH RANGANATHAN,J

Dt: 9.4.2007
msv.